

71.

99. A system according to claim 88, wherein calling number identification data automatically provided by the telephone facility for at least certain callers serves as their customer number data.

72.

100. A system according to claim 88 wherein the means for receiving further receives calling number identification signals automatically provided by the telephone facility.

73.

101. A system according to claim 100, wherein the qualification structure further tests the calling number identification signals against a database of calling number identification data to determine fraudulent use.

74.

102. A system according to claim 100, wherein the customer number data includes expiration date data.

REMARKS

By this preliminary amendment, Applicant is canceling claim 1, without prejudice, and introducing claims 29-102 for the Examiner's consideration. Of these claims, only claims 29, 41, 76, and 88 are independent and the remaining variously depend on them. Claims 29 and 41 of the present application are drafted in method form as opposed to claims 29 and 41 of Applicant prior application 09/006,274, that were allowed in structure form. Claims 76 and 86 are in structure form and recite limitations of allowed claim 41 (from Applicant's prior application 09/006,274) in addition to further limitations that could have been presented as dependent claims in the prior application. Favorable consideration and allowance of claims 29-102 are respectfully requested.

Applicant believes that the claims presented here are distinct from the prior art of record in the prior application. For the Examiner's convenience copies of the Forms PTO-1449 indicating the references already considered by the Examiner are submitted with this preliminary amendment. Of all the references of record, the patent to Daudelin is of some interest to certain present claims. Although the present claims are variously distinct for a myriad of reasons, two

significant reasons are that Daudelin does not teach DNIS nor does it teach displaying data entered by a caller at the operator terminal.

Another patent to Marino (cited on another Form PTO 1449) has been alleged to be of some interest to the recitation that appears here in the dependent claims whereby different cues may be provided to callers. However, Applicant respectfully submits that Marino's system is different because it simply plays advertisements or announcements to callers that last a certain duration of time as predetermined by callers in contrast to Applicant's system, which prompts or cues callers in accordance with a select operating format for responses that are either stored or used to update caller records. The only input provided by callers on-line is the duration of time that a caller has for listening to advertisements. In addition, Marino provides a round-robin type of sequencing of appropriate advertisements to insure that no appropriate advertisements within the interest profile of the caller is neglected. The interest profile is specified by the caller on the caller's monthly bill or otherwise periodically submitting information cards.

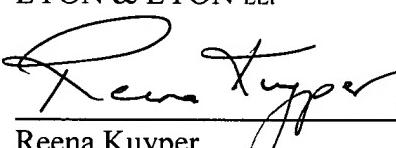
Although the Applicant's reasons why the present claims are distinct are urged above, Applicant encourages the Examiner to independently assess the art that is made of record with respect to this application.

Favorable consideration and allowance of the present claims is respectfully requested.

Respectfully submitted,

LYON & LYON LLP

By:


Reena Kuyper
Registration No. 33,830

Dated: August 25, 2000

633 West Fifth Street, Suite 4700
Los Angeles, California 90071-2066
(213) 489-1600